

UNITED STATES INTERNATIONAL TRADE COMMISSION  
Washington, DC 20436

**MEMORANDUM ON PROPOSED TARIFF LEGISLATION  
of the 109<sup>th</sup> Congress<sup>1</sup>**

[Date approved: November 8, 2005]<sup>2</sup>

**Bill No. and sponsor:** H.R. 2451 (Mr. Tim Murphy of Pennsylvania).

**Proponent name, location:** LANXESS Corp., Pittsburgh, PA.

**Other bills on product (109<sup>th</sup> Congress only):** None.

**Nature of bill:** Extension of temporary duty suspension through December 31, 2009.

**Retroactive effect:** None.

**Suggested article description(s) for enactment (including appropriate HTS subheading(s)):**

An alkyl modified polydimethylsiloxane (CAS No. 102782-93-4) (provided for in heading 3910.00.00).

**Check one:**     Same as that in bill as introduced.  
                   Different from that in bill as introduced (see Technical comments section).

**Product information, including uses/applications and source(s) of imports:**

The product is an alkyl modified polydimethylsiloxane colorless silicon oil. It is a critical additive in the manufacture of certain captively produced spandex fibers that exhibit chlorine resistant properties. It is imported from Germany.

<sup>1</sup> Industry analyst preparing report: Ray Cantrell (202-205-3362); Tariff Affairs contact: David Michels (202-205-3440).

<sup>2</sup> Access to an electronic copy of this memorandum is available at [http://usitc.gov/tata/hts/other/rel\\_doc/bill\\_reports/index.htm](http://usitc.gov/tata/hts/other/rel_doc/bill_reports/index.htm).

**Estimated effect on customs revenue:**

<b>HTS heading: 3910.00.00</b>					
	2005	2006	2007	2008	2009
Col. 1-General rate of duty	3.0%	3.0%	3.0%	3.0%	3.0%
Estimated value <i>dutiable</i> imports	\$36,000	\$36,000	\$36,000	\$36,000	\$36,000
Customs revenue loss <u>1/</u>	\$1,080	\$1,080	\$1,080	\$1,080	\$1,080

1/ Estimate revenue loss for 2005 and 2006 results from a current suspension of duty per heading 9902.04.03, which expires December 31, 2006.

Source of estimated dutiable import data: Commission and industry estimates.

**Contacts with domestic firms/organizations (including the proponent):**

Name of firm/organization	Date contacted	US production of same or competitive product claimed?	Submission attached?	Opposition noted?
		(Yes/No)		
LANXESS Corporation (Proponent) Mr. Seth Tomei, 412-809-3664 Ms. Jamie Schaeffer, 412-809-3666	09/13/2005	No	No	No
BASF Corporation Mr. Greg Thies, 202-558-5100	09/16/2005	No	No	No
Bayer Corporation Ms. Karen L. Niedermeyer, 412-777-2058	09/13/2005	No	No	No
Celanese Corporation Mr. Bob Carpenter, 202-637-3469	09/16/2005	No	No	No
Dow Chemical Company Ms. Lisa Schroeter, 202-429-3400	09/16/2005	No	No	No
DuPont Ms. Elaine M. Olsen, 302-992-2263	09/16/2005	No	No	No
Efficient Global Trade, Inc. Mr. Henry P. Stobenau, 215-628-4919	09/18/2005	No	No	No

GE Silicones Mr. Ron Haynes, 518-237-3330	09/19/2005	No	No	No
Solutia, Inc. Mr. Bob Hurley, 202-289-9800	09/16/2005	No	No	No

**Technical comments:<sup>3</sup>**

The Commission suggests that the article description of HTS heading 9902.04.03 be modified by deleting the word “subheading” and inserting the word “heading”.

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<sup>3</sup> The Commission may express an opinion on the HTS classification of a product to facilitate consideration of the bill. However, by law, only the U.S. Customs Service is authorized to issue a binding ruling on this matter. The Commission believes that the U.S. Customs Service should be consulted prior to enactment of the bill.

109TH CONGRESS  
1ST SESSION

# H. R. 2451

To extend the temporary suspension of duty on Baysilone Fluid.

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IN THE HOUSE OF REPRESENTATIVES

MAY 18, 2005

Mr. MURPHY introduced the following bill; which was referred to the  
Committee on Ways and Means

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## A BILL

To extend the temporary suspension of duty on Baysilone  
Fluid.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. BAYSILONE FLUID.**

4 (a) IN GENERAL.—Heading 9902.04.03 of the Har-  
5 monized Tariff Schedule of the United States (relating to  
6 Baysilone Fluid) is amended by striking “12/31/2006”  
7 and inserting “12/31/2009”.

8 (b) EFFECTIVE DATE.—The amendment made by  
9 subsection (a) applies to goods entered, or withdrawn from

- 1 warehouse for consumption, on or after the 15th day after
- 2 the date of enactment of this Act.

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